

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 7, 2008

The City Council convened in Regular Session on Tuesday, October 7, 2008, at 7:00 P.M. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with President of the Council Jerry Reese, presiding, and the Honorable Mayor Patricia M. York and Members of the Council present as follows: Erv Ermeling, Laurie Feldman, Michael Klinghammer, Bob Kneemiller, Larry Muench, Ron Stivison, Richard Veit, and Michael Weller. Absent: Dave Beckering. The City Clerk, Marilyn K. McCoy, was present and performed the duties of that office.

File #46915

The meeting was opened with the Invocation, those present standing in a moment of silence, followed by the Pledge of Allegiance to the Flag.

A motion was made by LARRY MUENCH to excuse the absence of Councilmember Dave Beckering. MICHAEL KLINGHAMMER seconded the motion. All voted in favor, motion passed.

Councilmember Bob Kneemiller introduced the members of the following scout troops in attendance: Webelos Troop 971, Webelos Troop 976, Cub Scout Den 8, and Boy Scout Troop 351, and Boy Scout Troops 35.

PUBLIC HEARINGS

The President of the Council Jerry Reese announced that the following Public Hearings would now be held.

- A. Case No. CU-24-08. (Air Products). The applicant is requesting approval of a conditional use permit from Section 156.036(C) (Potentially Hazardous Uses) within the I-2 Heavy Industrial District and Section 156.065(C) (Wellhead Protection District) for the construction of a 98,047 square foot manufacturing and industrial facility on the proposed Lot 2, Plat #8 within the Fountain Lakes Commerce Center. The proposed lot is located south of Highway 370 and just west of Elm Street. The subject property is 12 acres and is located in Ward Eight.
(RCA Attached)
- B. Case No. DR-08-08. An application to amend Chapter 156: Zoning Code of the Code of Ordinances of the City of St. Charles, Missouri, by amending Section 156.040(C) FHCD Frenchtown Historic Commercial District to include Vehicle Body and Fender Repair, Sales and/or Spray Painting as a conditional use.
(Council Bill 9763)

The Public Hearing was recessed, and the Regular Council Meeting reconvened. A motion was made by RICHARD VEIT to advance Council Bill 9763 on the agenda. MICHAEL KLINGHAMMER seconded the motion. All voted in favor, motion passed.

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 7, 2008

Bill 9763 (Amended)

An Ordinance Amending Section 156.040(C) of the Code of Ordinances Pertaining to FHCD Frenchtown Historic Commercial District (*Sponsors: Larry Muench and Richard Veit*)

Passed “Aye”: Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, Weller, Ermeling, and Feldman
 “Nay”: None
 Absent: Beckering

Approved by the Honorable Mayor on October 13, 2008, and is known as **Ordinance 08-217**

Following approval of Council Bill 9763, the Public Hearing was reconvened.

- C. Case No. CU-25-08. (Cutting Edge Cycles, Inc.) The applicant is requesting approval of a conditional use permit to open a motorcycle service, assembly, and sales business at 1630 North Second Street within the Frenchtown Historic Commercial District (FHCD). The subject property is 0.32 acres and is located in Ward One. (**RCA Attached**) (**Note: Pending Passage of Council Bill 9763**)

At the conclusion of the hearings, the Regular Session continued with the order of business.

RESOLUTIONS/AWARDS/PROCLAMATIONS

A Resolution Declaring a Police Canine Known as “Czar” as Surplus Property and Authorizing the Transfer of Ownership (*Sponsors: All Members of the City Council*)

A roll call vote was taken, with the following results:

Passed “Aye”: Muench, Reese, Stivison, Veit, Weller, Ermeling, Feldman, Klinghammer, and Kneemiller
 “Nay”: None
 Absent: Beckering

Approved by the Honorable Mayor on October 7, 2008, and is known as **Resolution R08-25**

A Resolution Commending the Salvation Army on Its 50th Anniversary (*Sponsor: Larry Muench*)

Passed “Aye”: Reese, Stivison, Veit, Weller, Ermeling, Feldman, Klinghammer, Kneemiller, and Muench
 “Nay”: None
 Absent: Beckering

Approved by the Honorable Mayor on October 8, 2008, and is known as **Resolution R08-27**

A Resolution Declaring Certain Items of Personal Property of the City of St. Charles to be Surplus Property and Authorizing the Sale thereof (*Sponsor: Jerry Reese*)

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 7, 2008

Passed “Aye”: Stivison, Veit, Weller, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, and Reese
“Nay”: None
Absent: Beckering
Approved by the Honorable Mayor on October 8, 2008, and is known as **Resolution R08-28**

A Resolution Recognizing Virginia Terry for Many Years of Service to the St. Charles Community (*Sponsor: Jerry Reese*)
Passed “Aye”: Veit, Weller, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, and Stivison
“Nay”: None
Absent: Beckering
Approved by the Honorable Mayor on October 8, 2008, and is known as **Resolution R08-26**

PUBLIC COMMENT RELATIVE TO AGENDA ITEMS

Council Bill 9759 Authorizing a Termination Agreement with Dave Kolb Grading for the Pearl Ridge Storm Sewer Relief Project
Tony Bradbury, 472 Pearl Ridge, spoke in opposition to Council Bill 9759.

Gloria Brown, 468 Pearl Ridge, spoke in opposition to Council Bill 9759.

Mark Francis, 483 Pearl Ridge, gave a power point presentation; and spoke in opposition to Council Bill 9759.

BILLS FOR FINAL PASSAGE

Bill 9727 (Substitute Bill No. 1)
An Ordinance Approving an Administrative Regulation Relating to Towing Services
(*Sponsors: Jerry Reese, Larry Muench, Bob Kneemiller, Dave Beckering, and Ron Stivison*)
Passed “Aye”: Weller, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, and Veit
“Nay”: None
Absent: Beckering
Approved by the Honorable Mayor on October 8, 2008, and is known as **Ordinance 08-212**

Bill 9757 (Substitute Bill No. 1)
An Ordinance Annexing Certain Adjacent and Contiguous Territories into the City of Saint Charles, Missouri, and Assigning the Properties to a Designated Ward of the City Being Land Petitioned for Annexation by Merz Investments, L.P., Three (3) Parcels of Land Located on Portion of an Approximate Twenty Foot Wide Private Drive that

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 7, 2008

Separates The New Town at St. Charles and Charlestowne Developments; Approving an Annexation Agreement with Merz Investments, L.P. and GGW Development Company, Inc.; and Approving and Accepting Dedication of Right of Way (*Sponsor: Michael Klinghammer*)

Passed “Aye”: Weller, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, and Veit

“Nay”: None

Absent: Beckering

Approved by the Honorable Mayor on October 13, 2008, and is known as **Ordinance 08-214**

Bill 9759 (Withdrawn)

An Ordinance Authorizing a Termination Agreement with Dave Kolb Grading for the Pearl Ridge Storm Sewer Relief Project (*Sponsor: Laurie Feldman*)

Council Bill 9759 was withdrawn from Council consideration by Sponsor Laurie Feldman.
File #46916

Bill 9760 (Failed)

An Ordinance Amending Chapters 91 and 156 of the Code of Ordinances by Amending: Section 91.03, Pertaining to Definitions; Section 91.15, Pertaining to Animal Registration; Section 91.20, Pertaining to the Display of Registration Tags; Section 91.45, Pertaining to the Number of Animals Allowed at a Residence; and Section 156.085, Pertaining to Animals by Adding Language to Allow Occupants of Dwelling Units in All Residential Zoning Districts and Dwelling Units in the C-O and C-1 Zoning Districts to Allow One (1) Pot-Bellied Pig as a Domestic Pet (*Sponsor: Erv Ermeling and Richard Veit*)

A separate vote was taken on Council Bill 9760, with the following results:

Failed “Aye”: Ermeling, Reese, Stivison, Veit, and Weller

“Nay”: Feldman, Klinghammer, Kneemiller, and Muench

Absent: Beckering

Council Bill 9760 failed passage.

File # 46917

Bill 9761

An Ordinance Authorizing the Mayor and City Clerk to Execute a Contract with Colliers Turley Martin Tucker to Provide Real Estate Brokerage Services for the Sale, Solicitation, Advertising and Negotiation for the Sale of an Approximate 26.5 Acre Parcel of City Property Located Near Highway 370 and Little Hills Expressway (*Sponsor: Jerry Reese and Richard Veit*)

Passed “Aye”: Weller, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, and Veit

“Nay”: None

Absent: Beckering

Approved by the Honorable Mayor on October 13, 2008, and is known as **Ordinance 08-215**

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 7, 2008

Bill 9762

An Ordinance Authorizing a Termination Contract with St. Charles County for the Use of St. Charles County Transportation Sales Tax Funds for the Design, Right-of-Way Acquisition, and Construction Services for the North Randolph Street Extension Project from its Terminus to Little Hills Expressway (*Sponsor: Richard Veit*)

Passed “Aye”: Weller, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, and Veit

“Nay”: None

Absent: Beckering

Approved by the Honorable Mayor on October 13, 2008, and is known as **Ordinance 08-216**

Bill 9763

An Ordinance Amending Section 156.040(C) of the Code of Ordinances Pertaining to FHCD Frenchtown Historic Commercial District (*Sponsors: Larry Muench and Richard Veit*)

Council Bill 9763 was passed previously in the meeting as recorded on Page 265.

Bill 9764

An Ordinance Authorizing a Contract with EJ Equipment for the Purchase of One (1) 2009 Chevrolet CC4500, 17,500 lb. G.V.W.R. Sewer Pipe Video Inspection Van in an Amount Not to Exceed \$109,429.00 (*Sponsor: Michael Klinghammer*)

Passed “Aye”: Weller, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, and Veit

“Nay”: None

Absent: Beckering

Approved by the Honorable Mayor on October 13, 2008, and is known as **Ordinance 08-218**

Bill 9765

An Ordinance Authorizing a Contract with EJ Equipment for the Purchase of One (1) 2009 Chevrolet CC5500, 19,500 lb. G.V.W.R. Sewer Pipe Video Inspection Van with Multi-Grout Chemical Pumping System Amount Not to Exceed \$192,066.00 (*Sponsor: Michael Klinghammer*)

Passed “Aye”: Weller, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, and Veit

“Nay”: None

Absent: Beckering

Approved by the Honorable Mayor on October 13, 2008, and is known as **Ordinance 08-219**

Bill 9767

An Ordinance Authorizing a Contract with Purler-Cannon-Schulte, Inc. for the Arena Parkway Water Main Extension Project in an Amount Not to Exceed \$649,929.50 (*Sponsors: Laurie Feldman & Michael Klinghammer*)

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 7, 2008

Passed “Aye”: Weller, Ermeling, Feldman, Klinghammer, Kneemiller, Muench,
Reese, Stivison, and Veit

“Nay”: None

Absent: Beckering

Approved by the Honorable Mayor on October 9, 2008, and is known as **Ordinance 08-213**

Bill 9768

An Ordinance Amending Section 115.34 of the Code of Ordinances Pertaining to Limitations on Granting Licenses by Amending the Definition of Restaurant Bar
(*Sponsor: Jerry E. Reese*)

Passed “Aye”: Weller, Ermeling, Feldman, Klinghammer, Kneemiller, Muench,
Reese, Stivison, and Veit

“Nay”: None

Absent: Beckering

Approved by the Honorable Mayor on October 8, 2008, and is known as **Ordinance 08-208**

Bill 9769

An Ordinance Approving a Certificate of Completion; and Authorizing Payment of \$522,282.67 from the Project Fund in Connection with Phase Three of the New Town at St. Charles Neighborhood Improvement District (*Sponsor: Michael Klinghammer*)

Passed “Aye”: Weller, Ermeling, Feldman, Klinghammer, Kneemiller, Muench,
Reese, Stivison, and Veit

“Nay”: None

Absent: Beckering

Approved by the Honorable Mayor on October 8, 2008, and is known as **Ordinance 08-209**

Bill 9770

An Ordinance Approving a Certificate of Completion; and Authorizing Payment of \$559,904.50 from the Project Fund in Connection with Phase Two of the New Town at St. Charles Neighborhood Improvement District (*Sponsor: Michael Klinghammer*)

Passed “Aye”: Weller, Ermeling, Feldman, Klinghammer, Kneemiller, Muench,
Reese, Stivison, and Veit

“Nay”: None

Absent: Beckering

Approved by the Honorable Mayor on October 8, 2008, and is known as **Ordinance 08-210**

Bill 9771

An Ordinance Ordering that Certain Improvements Within the New Town at St. Charles Phase Ten Neighborhood Improvement District of the City Be Made; and Directing that Financing for the Costs Thereof Be Obtained, All Pursuant to the Neighborhood Improvement District Act (*Sponsor: Michael Klinghammer*)

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 7, 2008

Passed "Aye": Weller, Ermeling, Feldman, Klinghammer, Kneemiller, Muench,
Reese, Stivison, and Veit

"Nay": None

Absent: Beckering

Approved by the Honorable Mayor on October 8, 2008, and is known as **Ordinance 08-211**

Bill 9773

An Ordinance Repealing Ordinance No. 08-97 and Enacting a New Ordinance
Reclassifying the Positions of City Engineer and Assistant Director of Public Works
(Sponsor: *Jerry Reese*)

Passed "Aye": Weller, Ermeling, Feldman, Klinghammer, Kneemiller, Muench,
Reese, Stivison, and Veit

"Nay": None

Absent: Beckering

Approved by the Honorable Mayor on October 8, 2008, and is known as **Ordinance 08-207**

BILLS FOR INTRODUCTION

The following Council Bills were introduced:

Bill 9774

An Ordinance Authorizing Acceptance of Water, Sanitary Sewer and Storm Sewer
Utilities and Their Appurtenances for the Walgreens at Mallard Pointe and Release of
Security (Sponsor: *Michael Klinghammer*)

Bill 9775

An Ordinance Authorizing Acceptance of Water and Sanitary Sewer Utilities and Their
Appurtenances at Simutronics and Release of Security (Sponsor: *Richard Veit*)

Bill 9776

An Ordinance Authorizing and Ratifying an Initial Funding Agreement Between the City
of St. Charles, Missouri and Truman Boulevard Center, TIC, D.J. Zavardinos,
Administrator, a Tenancy in Common of Missouri Limited Liability Companies
(Sponsors: *Jerry Reese and Michael Klinghammer*)

Bill 9777

An Ordinance Authorizing Execution of a Purchase and Sale Agreement with the Boys'
Club of St. Charles, Missouri for the Purchase of Approximately 5.08 Acres in an
Amount not to Exceed \$1,380,000; Authorizing Execution of a Lease Agreement with the
Boys' Club of St. Charles, Missouri; and Authorizing Continuing Authority for the
Mayor and City Clerk to Perform those Acts Necessary Effectuate the Intent of this
Ordinance (Sponsors: *Richard Veit, Jerry Reese, Larry Muench, Dave Beckering,
Michael Klinghammer, Ron Stivison and Erv Ermeling*)

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 7, 2008

Bill 9778

An Ordinance Authorizing an Easement Encroachment License Agreement with Keith R. Boyd and Margaret T. Boyd for the Construction and Maintenance of a Block Retaining Wall on the Easement Located at or Near 3026 Appleblossom Lane (*Sponsor: Michael Weller*)

Bill 9779

An Ordinance Approving the Record Plat for Fountain Lakes Commerce Center Plat Eight, a Subdivision of the City of Saint Charles, Missouri (*Sponsors: Larry Muench and Michael Klinghammer*)

Bill 9780

An Ordinance Authorizing a Contract with St. Charles County to Receive Funding from the St. Charles County Transportation Sales Tax Funds for the Design, Subsurface Utility Engineering, Right-of-Way Acquisition and Procurement, and Construction Services for the New Town Boulevard Reconstruction Project (*Sponsor: Michael Klinghammer*)

Bill 9781

An Ordinance Authorizing an Agreement to Terminate the Contract with St. Charles County for the Use of St. Charles County Transportation Sales Tax Funds for Improvements to Droste Road (*Sponsors: Ron Stivison and Bob Kneemiller*)

Bill 9782

An Ordinance Authorizing a Contract with N.B. West Contracting Company for the Alley Reconstruction (Between Lawrence and French Streets) Project in an Amount not to Exceed \$142,734.00 (*Sponsor: Richard Veit*)

Director of Public Works Debra Aylsworth responded to an inquiry of Councilmember Richard Veit that this alley was rated the worst alley in the City; and that it has been planned to reconstruct the four block portion of the alley for several years.

Bill 9783

An Ordinance Authorizing an Agreement to Terminate the Contract with St. Charles County for the Use of St. Charles County Transportation Sales Tax Funds for Improvements to Boschertown Road (*Sponsor: Michael Klinghammer*)

Councilmember Michael Klinghammer responded to an inquiry of Vice President of the Council Larry Muench that funding has been expended for design of the project; and that the City plans on re-applying for County Road Board Funding for construction of the project in 2010.

CONSENT AGENDA

Councilmember Bob Kneemiller removed *Item 8.B.2.b Council Work Session (Salary Survey Meeting) of August 26, 2008*; and *Item 8.G.2 Receipt of the Proposed Annual Budget for 2009 as Submitted by the Board of Directors of the Veterans Memorial Community Improvement District* from the Consent Agenda. Councilmember Michael Klinghammer removed *Item 8.D.2*

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 7, 2008

Administration Policy on Tuition Reimbursement from the Consent Agenda. A motion was made by BOB KNEEMILLER to receive and approve the balance of the Consent Agenda. LARRY MUENCH seconded the motion. A roll call vote was taken, with the following results: "Aye": Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, and Weller. "Nay": None. Absent: Beckering. Motion passed.

- A. Approval of Council Minutes
1. Regular Council Meeting of September 16, 2008
 2. Public Hearing of September 16, 2008
- File #46918
3. Special Council Meeting of September 23, 2008
- B. Approval of Council Committee Reports
1. Approval of Council Committee Minutes
 - a. Convention Center Oversight Committee Meeting of July 28, 2008
 - b. Council Work Session (Salary Survey Meeting) of August 26, 2008
 - c. Council Work Session of September 9, 2008
 - d. Technology Committee Meeting of September 15, 2008
 - e. Street Committee Meeting of September 16, 2008
 - f. Council Work Session of September 23, 2008
 2. Approval of Council Committee Motions/Actions/Recommendations
 - a. Convention Center Oversight Meeting of July 28, 2008 *(None)*
 - b. Council Work Session (Salary Survey Meeting) of August 26, 2008
 - i. Recommendation that Administration Bring Back a Recommendation for Increasing the Entry Level of Firefighters
 - ii. Recommendation to Increase the Salary for City Engineer by Reclassifying the position to Exempt Level 21
 - iii. Recommendation to Allow for Lateral Hires in Departments with Bargaining Units; and Continue to Allow Lateral Hires for all Departments
 - iv. Recommendation to Explore Reduction of the Compression Issue; and Provide a Report Identifying which Supervisors are Affected by Compression Issues and the Budget Impact of Making the Recommended Changes
 - v. Recommendation to Perform Desk Audits on all Clerical Positions Within the Next Six Months; and Decrease the Number of Clerical Titles to Four or Five
 - vi. Motion to Hire an Outside Agency to Perform a Compensation Study
- File #46777

REMOVED FROM THE CONSENT AGENDA

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 7, 2008

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| File #46725 | c. | Council Work Session of September 9, 2008 <i>(All Recommendations will be Addressed at the CIP Wrap-Up)</i> |
| File #46734 | d. | Technology Committee Meeting of September 15, 2008 <i>(None)</i> |
| | e. | Street Committee Meeting of September 16, 2008 |
| | i. | Motion that Public Works Purchase the Necessary Equipment Needed to Perform the Street Striping Projects In-House for Small and Moderate Urgent Pavement Marking Needs; and to have this Item Brought Forward in the Future CIP Wrap-Up Discussions for Approval |
| | ii. | Motion, for Budgetary Purposes, to Accept Staff's Recommendations as Indicated on the Report for the Average PCI Rating of 70 to 75 and a Backlog Rating of 15%, but to also Include the Average PCI Rating of 67 for Alleys |
| | iii. | Motion to Request the Legal Department to Draft an Ordinance Allowing Angle Parking on all Cul-de-Sacs and Eye Brows within the City; however, Parking within 3' of a Driveway, 10' of a Mailbox, and 15' of a Fire Hydrant would Still be Prohibited |
| File #46775 | f. | Council Work Session of September 23, 2008 |
| | i. | Request for Meeting to Discuss: 1) Renovations to City Hall; and 2) Street Maintenance Facility |
| | ii. | Motion to add <i>SG-20 Signalization at Lost Meadow/Hackman Road</i> in the Amount of \$150,000 to the CIP for C/Y 2009 |
| File #46725 | | |
| | C. | Receipt of Reports from Boards, Commissions or Committees |
| | 1. | Planning & Zoning Commission Meeting of August 25, 2008 |
| File #46762 | | |
| | 2. | Special Business District Advisory Board Meeting of June 5, 2008 |
| | a. | Motion to Renew the <i>mainstreet.com</i> website. |
| File #46818 | | |
| | 3. | Special Business District Advisory Board Meeting of July 3, 2008 |
| | a. | Motion to Approve the SBD Survey and the Associated Cover Letter |
| | b. | Motion to Change Meeting Time to 4:00 p.m. |
| File #46818 | | |
| File #46760 | 4. | St. Charles Park & Recreation Board Meeting of July 16, 2008 |

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 7, 2008

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| File #46760 | 5. | St. Charles Park & Recreation Work Session Meeting of August 6, 2008 |
| File #46760 | 6. | St. Charles Park & Recreation Board Meeting of August 21, 2008 |
| File #46862 | 7. | Citizens with Disabilities Advisory Board Meeting of June 25, 2008 |
| File #46779 | 8. | Landmarks Board Meeting of August 18, 2008 |
| File #46764 | 9. | July 4 th Celebration Riverfest 2008 Committee Meeting of August 13, 2008 |
| | a. | Appointment of Brad Wetter as Chairperson and Ken Wright as Vice-Chairperson for 2008-2009 |
| File #46809 | 10. | Veterans Commission Meeting of July 14, 2008 |
| | a. | Motion to Support the Participation of the Old Guard Fife and Drum Corps to Perform on October 17, 2009 |
| | 11. | Convention and Visitors Commission Meeting of August 28, 2008 |
| | a. | Motion to Approve the Financial Report for July 2008 |
| | b. | Motion to Approve the Following Advertising/Public Relation Items: |
| | i. | Venues Today |
| | ii. | 2009 Missouri Vacation Planner |
| | iii. | 2009 Midwest Vacation Guide |
| | iv. | Sports Event – December 2008 |
| | v. | Sports Event – May 2009 |
| | vi. | Midwest Living |
| | vii. | 2009 Missouri Spring/Summer Vacation Guide |
| | viii. | Small Market Meetings December 2008 |
| | ix. | Small Market Meetings May 2009 |
| | x. | Sports Travel Oct/Nov 2008 |
| | xi. | Sports Travel February 2009 |
| | xii. | Sports Travel April 2009 |
| | xiii. | AAA Tour Book |
| | xiv. | Good Housekeeping/December 2008 |
| | xv. | Good Housekeeping/May 2009 |
| | xvi. | Midwest Traveler/Nov-Dec 2008 |
| | xvii. | AAA Living/Nov-Dec 2008 |
| | xviii. | Sports Destination Management/Nov-Dec |
| File #46808 | xix. | Lifescape Magazine/Spring-Summer 2008 |

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 7, 2008

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12. Cable Television Commission Meeting of September 3, 2008
File #46819
- D. Receipt of Reports of the Director of Administration
1. Notice of Emergency Purchase
File #46711
2. Administration Policy on Tuition Reimbursement
REMOVED FROM THE CONSENT AGENDA
- E. Approval of Contracts and Easements from \$30,001 - \$99,999
1. Approval of Contract Amendment #1 with Rejis for Temporary Technical Support in an Amount not to Exceed \$33,000.00; Total Contract Amount \$59,000.00
File #46919
2. Approval of Change Order No. 1 to the Streetlight Maintenance Contract Agreement with Gerstner Electric, Inc. for the Continued Maintenance of City Owned Streetlights in an Amount not to Exceed \$25,000
File #46920
3. Approval of a Contract with Ameren UE for the Fairgrounds Road Electricity Project in an Amount not to Exceed \$49,499.33
File #46921
4. Approval of a Contract with Gerstner Electric, Inc. for the Traffic Signal Controller Modifications Project in an Amount not to Exceed \$34,965.00
File #46922
- F. Preliminary Plats
1. Approval of Preliminary Plat for Fischer Industrial Triangle
File #46923
2. Approval of Preliminary Plat for Lots 1 and 2 of City Block No. 92
File #46924
3. Approval of Preliminary Plat for Fountain Lakes Commerce Center Plat #8
File #46925
- G. Miscellaneous
1. Receipt of the Proposed Annual Budget for 2009 as Submitted by the Board of Directors of the Plaza at Noah's Ark Community Improvement District
File #46926
2. Receipt of the Proposed Annual Budget for 2009 as Submitted by the Board of Directors of the Veterans Memorial Community Improvement District
REMOVED FROM THE CONSENT AGENDA

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 7, 2008

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3. Receipt of the Proposed Annual Budget for 2009 as Submitted by the Board of Directors of the Elm Point Commons Community Improvement District
File #46927
4. Approval of Liquor License Application for Steve A. Noles, dba Imo's Pizza Located at 2160 First Capitol Drive
File #46710

ITEM REMOVED FROM THE CONSENT AGENDA

Item 8.B.2.b. Council Work Session (Salary Survey Meeting) of August 26, 2008
Item 8.B.2.b. *Council Work Session of August 26, 2008* was held by Councilmember Bob Kneemiller for clarification.

Item 8.D.2. Administration Policy on Tuition Reimbursement
Item 8.D.2. *Administration Policy on Tuition Reimbursement* was held by Councilmember Michael Klinghammer.

Item 8.G.2. Receipt of the Proposed Annual Budget for 2009 as Submitted by the Board of Directors of the Veterans Memorial Community Improvement District
Councilmember Bob Kneemiller requested that this item be referred to the next Regular Council Meeting to ensure that the proper documentation is attached.

REPORT OF THE MAYOR

Appointments to Boards and Commissions
A motion was made by LARRY MUENCH to approve the following appointments to Boards and Commissions as presented by the Honorable Mayor Patricia M. York:

Beautification Commission: Reappointments of Tom Hannegan, Mary Hagan, Sandi Bohler, Joan Gingerich, Sharon Luetkenhaus, Anita Smith, and Rose Ann Weeks for three-year terms ending in October, 2011. Appointments of Brenda Baugh and Cort Schneider for three-year terms ending in October, 2011.

Parks and Recreation Board: Appointment of Valerie Lanning to fill the unexpired term of Teresa Thro ending in May, 2009.

BOB KNEEMILLER seconded the motion. A roll call vote was taken, with the following results: "Aye": Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, Weller, and Ermeling. "Nay": None. Absent: Beckering. Motion passed.
File #46729

Update on Elm Street Reconstruction Project
The Honorable Mayor Patricia M. York gave an update on the Elm Street Reconstruction Project.
File #46853

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 7, 2008

Announcement of Receipt of Certificate of Appreciation from the City of Wood Heights, Missouri

The Honorable Mayor Patricia M. York announced that the City received a Certificate of Appreciation from the City of Wood Heights, Missouri, for the donation of a surplus Public Works truck.
File #46928

Transmittal of the Budget for Fiscal Year 2009

The Honorable Mayor Patricia M. York read portions of the Mayor's Budget Message included in the Budget for Fiscal Year 2009 transmitted to the City Council.
File #46929

Written and/or Verbal Messages from the Mayor

Ghost Stories in the Katy Depot. The Honorable Mayor Patricia M. York announced that Ghost Stories in the Katy Depot is scheduled for Friday, October 10, 2008, and Saturday, October 11, 2008.

Life is Good Event. The Honorable Mayor Patricia M. York announced that the Life is Good Event is scheduled for Saturday, October 18, 2008, from 10:00 a.m. to 6:00 p.m. in Frontier Park.

ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS

Discussion Relative to Scheduling of Closed Sessions

Discussion was held relative to the suggestion of President of the Council Jerry Reese to schedule Closed Sessions at 6:00 p.m. prior to the Regular Council Meeting and/or Council Work Session. It was the consensus of the Council to schedule Closed Sessions at 6:00 p.m. on the 1st and 3rd Tuesdays of the month prior to the Regular Council Meetings, if needed. In addition, it was the consensus of the Council to schedule the Finance & Audit Committee and the Street Committee on the 2nd Tuesday of the month prior to the Council Work Session.

Discussion Relative to Stormwater Detention in the Boschert Creek Drainage Basin

Councilmember Michael Klinghammer, on behalf of Councilmember Dave Beckering, requested that the Public Works Department provide the following information: 1) how much detention was added to the Lindenwood University Site with the improvements added, i.e., Performing Arts Center, new dormitories; and 2) any monitoring of the rate of flow through the creeks prior to the development at Lindenwood University and the present time. Public Works Director Debra Aylsworth stated that a time line on completion of the report will be forwarded to the Council on Friday.

Discussion Relative to the Disability Guide

Vice President of the Council Larry Muench stated that the Citizens with Disabilities Committee has completed the Disabilities Guide and would like to proceed with printing of the guides;

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 7, 2008

however, additional funding is needed. Vice President of the Council Muench requested that Administration locate the additional funding needed to print the guides.

Discussion Relative to Possible Cancellation or Rescheduling of the November 4, 2008,
Regular Council Meeting Sessions

President of the Council Jerry Reese inquired whether the Councilmembers had any preference in whether or not to cancel or reschedule the Regular Council Meeting scheduled for November 4, 2008, because of the election. It was the consensus of the Council that the Regular Council Meeting of November 4, 2008, be scheduled as usual.

Written and/or Verbal Messages from the Councilmembers

Thanks to Employees. President of the Council Jerry Reese thanked the City employees who stayed late on Friday, October 3, 2008, to complete the budget documents and deliver to the Councilmembers.

Creekbank Stabilization. Councilmember Michael Weller requested that 609 Timber Ridge be added to the creekbank stabilization list.

Oktoberfest. Councilmember Bob Kneemiller thanked everyone who worked on the Oktoberfest.

EMERGENCY ORDINANCE

Bill 9784

An Emergency Ordinance Authorizing Staff to Proceed with Engineering Design of Creek Bank Stabilization and Further Requesting the Mayor to Waive the Requirements of Code of Ordinances Section 40.46 (*Sponsors: Dave Beckering, Jerry Reese, Bob Kneemiller, and Ron Stivison*)

City Clerk Marilyn McCoy read Council Bill 9784 in its entirety. A roll call vote was taken, with the following results:

Passed “Aye”: Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, Weller, and
 Feldman
 “Nay”: Ermeling
 Absent: Beckering

Returned Unsigned by the Honorable Mayor on October 13, 2008, and is known as **Ordinance 08-220**

CLOSED SESSION

A roll call vote was taken to adjourn into Closed Session relative to legal actions, causes of action, or litigation (RSMo 610.021.1), with the following results: “Aye”: Kneemiller, Muench, Reese, Stivison, Veit, Weller, Ermeling, Feldman, and Klinghammer. “Nay”: None. Absent: Beckering. Motion passed.

The Open Portion of the Regular Council Meeting was adjourned at 8:40 p.m.

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 7, 2008

October 21, 2008
Date Approved

Shirley M. Coe
City Clerk

Jerry Reese
Jerry Reese, Presiding Officer